

**ORDINANCE NO. 1104**

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, AMENDING TITLE 5, CHAPTER 5.08, KETCHUM MUNICIPAL CODE, "LIMOUSINE AND TAXICAB BUSINESS AND VEHICLE LICENSE REQUIRED; APPLICATIONS AND QUALIFICATIONS", ADDING REQUIREMENTS FOR CRIMINAL HISTORY BACKGROUND CHECKS; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE, PROVIDING A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION BY SUMMARY.

WHEREAS, Ketchum Municipal Code Section 5.08, requires taxicab business and vehicle licenses to operate a taxicab within city limits; and

WHEREAS, the Federal Bureau of Investigations requires specific authorization to conduct criminal background checks; and

WHEREAS, the City Council desires to be in compliance with the FBI requirements in order to ensure complete criminal background checks on all license applicants.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and the City Council of the City of Ketchum, Idaho:

SECTION 1: Sections **5.08.020**, of the Ketchum City Code is hereby amended, altered, and changed by adding thereto the underlined language herein below and by deleting there from the language stricken through, to wit:

**Chapter 5.08 TAXICAB AND LIMOUSINE LICENSES**

**5.08.020 Limousine and taxicab business and vehicle license required--Application and qualifications.**

...

B. Application for such business license and vehicle license shall be made to the chief of police (license officer), in such form and manner as he or she may prescribe. To determine the suitability of prospective applicants for a taxicab and limousine license, the chief of police shall require an applicant to provide information and fingerprints necessary to obtain criminal history information from the Idaho State Police and the Federal Bureau of Investigation. Pursuant to section 67-3008, Idaho Code, and congressional enactment Public Law 92-544, the chief of police shall submit a set of fingerprints obtained from the applicant and the required fees to the Idaho State Police, Bureau of Criminal Identification, for a criminal records check of state and national databases. The submission of fingerprints and information required by this section shall be on forms prescribed by the Idaho State Police. The chief of police is

authorized to receive criminal history information from the Idaho State Police and from the Federal Bureau of Investigation for the purpose of evaluating the fitness of applicants for taxicab and limousine licenses. As required by state and federal law, further dissemination or other use of the criminal history information is prohibited.


SECTION 2. SAVINGS AND SEVERABILITY CLAUSE. It is hereby declared to be the legislative intent that the provisions and parts of this Ordinance shall be severable. If any paragraph, part, section, subsection, sentence clause, or phrase of this Ordinance is for any reason held to be invalid for any reason by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 3. REPEALER CLAUSE. All City of Ketchum ordinances or resolutions or parts thereof which are in conflict herewith are hereby repealed.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval, and publication.

Section 5. PUBLICATION. This Ordinance, or a summary thereof in compliance with Section 50-901A, Idaho Code, which is hereby approved by the City Council shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO and APPROVED by the Mayor this 4<sup>th</sup> of February, 2013.

CITY OF KETCHUM, IDAHO  
  
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Randy Hall  
Mayor

ATTEST:

  
Sandra E. Cady, City Treasurer/Clerk  


APPROVED AS TO FORM AND CONTENT:

By:   
City Attorney

Publish: Idaho Mountain Express  
February 13, 2013

